



City of Seattle
Edward B. Murray, Mayor

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3014176
Applicant Name: Jodi Patterson-O’Hare, for Intracorp
Address of Proposal: 3210 California Av SW

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 4- and 5-story mixed-use building containing approximately 134 residential units, 5,913 square feet of commercial space and 2 live/work units totaling 1,364 square feet at grade and parking below grade for approximately 152 vehicles.

The following approvals are required:

SEPA Environmental Determination – Chapter 25.05 SMC.

Design Review – Chapter 23.41 Seattle Municipal Code (SMC)

Design Departures Granted: SMC 23.47A.008-- requires a 13-foot floor-to-floor height for portions of the ground floor in non-residential uses. The applicants are proposing a 10-foot 6-inch floor-to-floor height in one of the retail spaces, a 12-foot 7-inch height in one of the live/work spaces and a 12-foot 2-inch height in a second live/work space.

SEPA Determination: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

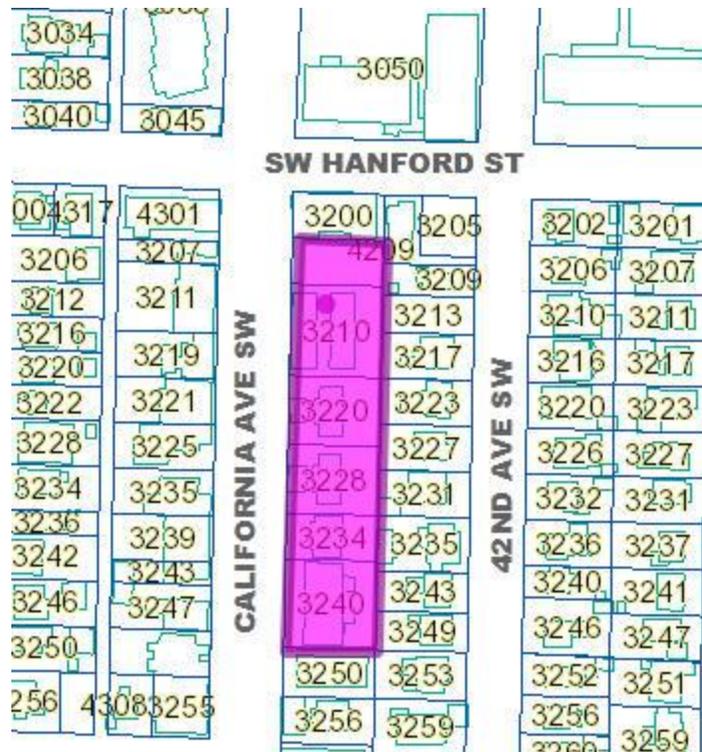
BACKGROUND INFORMATION:

The midblock site, 447 feet long and 100 feet deep, is located along the eastern side of California Avenue SW, between SW Hanford Street and SW Hinds Street. It is rectangular in shape and is composed of 6 underlying parcels, totaling 44,692 sq. ft., or 1.026 acres. The site slopes slightly upwards, approximately seven feet, to the south along California Avenue SW and rises abruptly

to the east at its east property line. The site has been previously developed with parking, smaller multi-family structures, one- and two-story commercial structures and duplex residences, some adapted to commercial uses. Zoning is NC2-40, Neighborhood Commercial.

The site lies within the Admiral Residential Urban Village, separated from the Admiral Junction itself, by Hiawatha Park and West Seattle High School.

Directly abutting the east property line is a row of single-family structures that face onto 42nd Avenue SW. They are a mix of newer three-story homes and older homes mostly one and a half and two stories in height.



Project Proposal

At the time of the Early Design Guidance meeting, held on April 11, 2013, the announced goal of the applicant was to construct a five-story mixed-use building with approximately 180 residential units, 4,000 square feet of live/work units at grade, and below grade parking for approximately 180 vehicles. Because of changes made in response to Design Review Board guidance and other related accommodations, the project now stands as a proposal for a 5-story building with approximately 134 residential units, commercial spaces totaling 5,913 square feet in area, two live/work space totaling approximately 1,364 square feet and a parking garage below grade that would accommodate 152 vehicles.

Public Comment

The official public comment period for this proposal ended on September 25, 2013. The City received numerous written comments regarding the project; additional public comments were elicited at a public meeting held on January 29, 2014 and at each of the five Design Review meetings. Specific comments from those meetings are included under the Design Review analysis discussed below.

ANALYSIS – DESIGN REVIEW

EARLY DESIGN GUIDANCE MEETING –April 11, 2013

Architects’ Presentation

Steve Fischer of Nicholson Kovalchick (NK) Architects introduced the project on behalf of the design team to the Board and members of the public attending the meeting. After explaining opportunities offered and constraints of the site, he set forth the development objectives of creating a community and structure that would integrate itself into its context and respond to broader development patterns occurring in West Seattle. The proposed structure was said to both preserve and enhance the existing character of the neighborhood by introducing a mix of sidewalk level commercial uses (live/work units) and residential apartments.

The presentation identified for the Board those individual Guidelines which the design team thought of special importance for the proposal: A-1, A-2, A-5, A-6, A-7, A-8, B-1, C-3, D-1, D-2, D-3, D-5, D-6, D-7, D-12, and E-2.

Kurt Andersen of NK Architects then presented three different options that had been explored by the design and development teams. The first was described as a design that was “Code compliant,” essentially a single massing extending from one end of the site to the other, with the California Avenue façade modulated “to reduce the perceived bulk of the structure.”

A second scheme moved the north, south and east facades away from adjacent properties, allowing, as explained, for more solar exposure to the adjacent single family homes on 42nd Avenue SW. The access to the lower parking garage in this scheme would be adjacent to the neighboring apartment building to the north. A departure would be required for this scheme to work since one of the street-level residential units would not meet setback or height regulations.

The third and preferred scheme pulled its mass further from the east property line and the upper floors were separated by a courtyard at the second residential level in order “to create the appearance of 2 separate buildings.” In this scheme, both residential and live/work units would connect to the sidewalk, the residential units through use of “stoops.” Patios along the eastern edge of the building would be located below the levels of the adjacent single family rear yards. As in scheme two, a departure would be required since a proposed ground-floor residential unit would not meet setback or height requirements from the sidewalk. A shared amenity space would be located above the lobby area at the notch in the building.

Andy Rasmussen from the Weisman Design group then took a few minutes to explain proposed landscaping. In doing so he noted that, in addition to keeping, or rather protecting, the “exceptional” sequoia (actually located in a neighbor’s rear yard), the existing street trees would be kept and probably added to. Street improvements and Landscaping along the California Avenue SW frontage would be enhanced to provide an “uninterrupted passage” for pedestrians along the sidewalk. It was noted that, despite the dual entries/exits for the new structure, the parallel parking on the street would be added to since some 160 feet in curbcuts would be eliminated by the proposal.

After the design team’s presentation the Board asked a few questions to clarify their understanding of the proposal: How steep was the driveway to proposed parking? (“15%”); Could not the “commercial” spaces be better located at the north end of the site? (“A rise of about 6 feet from the south end to the north end of the site made this a challenge”); Could not the live/work spaces be true commercial spaces? (“They will start as live/work and since they will have 13-foot floor to ceiling heights, they come be changed to retail/commercial depending on the market.”)

PUBLIC COMMENT

After asking their clarifying questions of the applicant, the Board elicited comments from members of the public. Approximately 50 members of the public attended the meeting; 39 signed in to become “parties of record.” About nine or ten individuals voiced comments and concerns to the Board, among these:

- This project would be precedent-setting for West Seattle;
- The third scheme showed a “break,” suggesting two structures; Why not break it into 3 masses?”
- Guideline A-4 calls for something that encourages Human Activity; so-called Live/Work units have not historically been very successful at doing that;

- The length of this amalgamated development parcel offers an exception case, requiring exceptional design moves; more can be done and should be done with the design;
- Just because the Code allows it, does not mean it should be done; the Land Use Code does not contemplate 450-foot long parcels in Seattle; conversations regarding a rezone in this area never contemplated buildings as long or as high as that proposed;
- Proposed entries and exits pose safety issues for pedestrians, especially for kids;
- Requested the Board be an advocate for the community and its wishes;
- Proposed height not right for the site; height at street front should be reduced to 4 stories;
- Quoting Guideline A-5, *Respect for Adjacent Sites*, questioning the respect shown neighbors along the east property lines whose backyards will be “shady fishbowls”; step back upper floors, erode the building’s east façade, angle the windows, misalign the windows for privacy’s sake; question the decks if any, design for solar exposure;
- Length of this project is exceptional and a single break in the massing is not enough;
- Split it again;
- Height at the street should be reduced to four stories;
- Project needs a second EDG meeting to adequately address these issues.

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines of highest priority for this project.

Site Planning

- A-1 Responding to Site Characteristics. The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.**

The Admiral Residential Urban Village Design Guidelines, for sites abutting single Family Zoning, specifically call for “composing the structure’s massing to enhance solar impacts on adjacent structures....”

- A-2 Streetscape Compatibility. The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.**

Varying façade heights, the variety in east and west facades would appear to be a component of existing desirable spatial characteristics of the California Avenue SW right-of-way. The project needs to show respect for the different relationships called for in each of the two main facades, employing a kit of parts that deals with both vertical and horizontal modulation and variation in façade heights. It would not be a successful building that replaced the current positive feeling of vibrant variety along the streetfront with drab sameness.

- A-5 Respect for Adjacent Sites. Buildings should respect adjacent properties by being located on their sites to minimize disruption of the privacy and outdoor activities of residents in adjacent buildings.**

In choosing this to be of high priority in guiding the design, the Board discussed the opportunity to provide something other than a monolithic façade on the east exposure by providing variation and even an erosion of the façade. They questioned the sameness and the usability of the sunken terraces proposed for the lower units and

suggested that the presence of the “exceptional” tree called for an architectural response to its presence from the building.

- A-6 Transition Between Residence and Street. For residential projects, the space between the buildings and sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.**

The Board noted that the street-level residential units might be better suited to the southern end of the development, with true retail/commercial uses provided at the north end of the site. While the spaces with residential components might well be served by setbacks and stoops, entrances to the retail/commercial spaces should be at the sidewalk and at-grade requiring some significant adjustments that need to be addressed in the proposed structure.

- A-7 Residential Open Space. Residential projects should be sited to minimize opportunities for creating usable, attractive, well-integrated open space.**

The viability of the sunken private open spaces adjacent the hillside and Single family zoning was questioned. The Board encouraged taking a fresh look at providing larger, common amenity spaces, strategically located with a better relationship to modulating massing impacts and more obvious responses to topography and adjacencies. How these amenity spaces related functionally and were integrated within the whole building would be important for their success and the Board would be waiting to see how the details of these areas were worked out in the design.

Height, Bulk and Scale

- B-1 Height, Bulk, and Scale Compatibility. Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.**

The Board was agreed that because of its context the impacts of the length and height of the building needed more mitigation than they had been shown in the three alternative schemes. They wanted the applicants to return with a scheme that showed the building divided into three chunks rather than one or just two as in the preferred scheme. The proposed structure stood in need of greater vertical modulation than had been shown.

Architectural Elements and Materials

- C-1 Architectural Context. New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.**

The Board observed that, although there might be a lack of any “well-defined and desirable character” strictly speaking, especially since it was a neighborhood in transition, nevertheless there was the context of the platting which could provide a kind of discernible palimpsest. This could then be read to create spatial patterns and should suggest opportunities for rhythmic aggregation, modulation, and separations that could be more contextual than what had been shown.

- C-2 Architectural Concept and Consistency.** Building design elements, details and massings should create a well proportioned and unified building form and exhibit an overall architectural concept.

The Board acknowledged that it was a particular challenge in a building of this length to provide architectural consistency or a discernible architectural concept, but encouraged a greater effort in that regard. The exceptional length of the street façade in particular called out for variegation, but the building should not become a hotchpotch of different stuff just for variety's sake.

- C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

The Board noted that the questions of scale and human interaction were matters of special concern along the northern portion of the structure along California Avenue SW where genuine commercial/retail spaces should be provided for.

- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

The Board indicated that some "stitchery" of elements of the street-facing façade would be an important part of a successful design as would be the choices in cladding materials.

- C-5 Structured Parking Entrances.** The presence and appearance of garage entrances should be minimized so they do not dominate the street frontage of a building.

The parking entry at the north end of the site would seem to interfere with the notion of providing viable and active street-level commercial uses there. Additionally, the safety and comfort of pedestrians moving along California Avenue SW, as mentioned by more than one of the public commentators, is a concern at both parking entrances. To address these concerns, at the very least the driveways must meet the sidewalk at a level from the inside so that visibility is optimal for drivers. This guideline should be considered in tandem with Guideline D-5.

Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

Board members commented that while the applicants were proposing one main residential entry on California Avenue SW, they would like to see a more thorough investigation into the location and distribution of retail spaces and an examination of locating as many as three residential entries, perhaps off street-level plazas, along California Avenue SW.

- D-2 Blank Walls. Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.**

The Board considered this guideline to be particularly applicable to the design of the north-facing and south-facing façades.

- D-5 Visual Impact of Parking Structures.**
See the comments under Guideline C-5, above.

Landscaping

- E-2 Landscaping to Enhance the Building and /or Site. Landscaping, including living plant material, special pavements, trellises, screen walls, planters, site furniture and similar features should be appropriately incorporated into the design to enhance the project.**

There appears to be plenty of opportunities for landscaping not only at the street level but as part of the amenity spaces above ground. The applicant is encouraged to work with SDOT regarding the health of the existing street trees and to make a determination of the distinctive characters of landscaping to be provided on California Avenue SW.

- E-3 Landscape Design to Address Special Site Conditions. The landscape design should take advantage of special onsite conditions, such as high-bank front yards, steep slopes, view corridors, or existing significant trees and off-site conditions such as greenbelts, ravines, natural areas, and boulevards.**

The presence of the “exceptional” tree adjacent the east property line provides an opportunity for a design response on the east façade(s) of the structure, including the orientation of windows, amenity areas, etc.

DEVELOPMENT STANDARD DEPARTURES

The Design team identified departures from requirements for the setback distance and height above or below grade for street-side residential entries. A more thorough discussion of necessary departures, if any are needed, and the Board’s willingness to entertain recommendation of those requested departures, the Board noted , would be undertaken at the time of the second Early Design Guidance meeting.

BOARD DIRECTION

At the conclusion of the EDG meeting, the Board recommended that the project should return for a second Early Design Guidance Meeting at which time the issues and concern cited under the Guidelines above would be addressed. In particular, the next meeting the Board would expect to have the applicants:

- Provide a fourth massing alternative, one that more adequately mitigates for the length of the building, a scheme that breaks the building’s mass into three pieces instead of two.
- Explore how the commercial component could be moved to the north end of the structure and invigorate the pedestrian experience along that portion of the west façade.
- Provide more detailed renderings of the façade treatments, including modulation, terraces, amenity spaces, etc., that respond to comments under the Guidelines above.
- Offer a brief review of other successful projects in the City of Seattle approximating the proposed length of this project, together with a brief analysis of how they succeed in an architectural sense.

SECOND EARLY DESIGN GUIDANCE MEETING—June 27, 2013

The major changes in the project as presented at the Second Early Design Guidance Meeting were as follows:

- The structure was divided into three discernible parts instead of two
- The northernmost break was centered on the exceptional redwood tree east of the site
- A glazed sky-bridge was inserted across this break reducing the number of mechanical penthouses
- The 4,700 square feet of commercial space was moved to the northern end of the structure
- There were no residential units at street level along California Avenue SW
- The live/work units were moved to the south end and presented as convertible to “true commercial”
- The California Avenue SW façade was divided into 25-foot modules
- The applicants’ presentation also included, as had been requested by the Board, a brief comparison of two other projects in Seattle with roughly similar façade lengths, the *Prescott* in Wallingford (at 420 feet) and the *Curve* in the U-District (at 485 feet). It was noted that the preferred scheme for 3210 California Avenue SW broke the building into three parts, similar to the massing solution proposed for the Curve project.

PUBLIC COMMENT

After asking clarifying questions of the applicant, the Board elicited comments from members of the public. Approximately 20 members of the public attended the meeting; 12 signed in to become “parties of record.” Among the comments offered were these:

- A question, will the provisions for accommodating the tree really protect the tree’s root system?
- Three different buildings should mean three different buildings;
- The proposal remains out of scale for the neighborhood;
- The structure needs additional modulation on the east side as well as the west side;
- A major erosion of the top floor takes place on the Prescott building in Wallingford, something that would mitigate the height and bulk of this building along California Avenue SW;
- Larger openings between the three massing blocks would allow for more sunlight to the east (and for the tree);
- The massing of the building ought to be captured from the street level along 42nd Avenue SW;
- The east façade needs more work and attention;
- Likes the quiet spaces provided on the east side of the development;
- Likes the suggested 25-foot modules along California Avenue SW; perhaps a 50-foot module is needed at the location of the Exceptional Tree;
- The fifth story should be set back along both the west and east facades;
- Needs to show greater respect for adjacent sites along 42nd Avenue SW, especially access to the sun; design for solar exposure;

BOARD DELIBERATIONS

The Chair began the Board’s deliberations by identifying the following “big-issues” for consideration:

1. The overall massing of the proposal;

2. The arrangement of the parking entries and their relationships to the existing structures on either side of the proposal;
3. The tree and the design responses to it;
4. The quality of the open spaces and residential building amenities;
5. Modulation, fenestration, materiality and general treatments along the east façade;
6. Material pallet for the entire structure, the skybridge included.

While these issues set a general framework for the Board's discussion, other comments and points were introduced by Board members that slightly broadened the deliberations. It was generally agreed among the Board members that the revised preferred scheme, with the "three buildings," was a marked improvement over the "two building" scheme from the first Early Design Guidance meeting. The Board was pleased with the thorough analysis that accompanied the latest presentation. The placement of the commercial space at the north end of the ground floor, doing away with the ground level residential movements and provisions to make the live/work spaces totally transformable into genuine commercial spaces were welcomed moves in the design along California Av SW.

The design team was commended for making these changes and for the way the building now related to the sidewalk and street. There were improvements in the slopes of driveways that allowed for safer approaches to the sidewalk grades from within. There were some concerns voiced regarding the scale of the entries, of views in and views out, of the possibility of redirecting views from some of the back units to the west through the shaping of these gaps. There was concern raised regarding the impact of the north parking entry on the residential entry of the neighboring building to the north.

Some time was spent discussing the width of the spaces between building and suggestions for a wider gap in front of the redwood to provide more sunlight to the tree. There was some discussion about moving the sky-bridge to connect the gap between the second and third buildings, counting from the north, and about the width limits for a bridge, whether north or south. One suggestion for consideration was to push the lobby area and entry away from the street, a gesture that would relate the entry more dramatically to the two gaps between buildings.

One particular area of concern was the east façade of the building. While the applicants voiced a desire to keep that façade "quiet" and simple, the Board did not want the design team to make it too bland. The Board members urged the designers to go all away around the building with design; "don't lose interest in the rear of the building," one Board member cautioned.

Although there were many elements of a project this size which had not had exhaustive treatment or discussion, the Board agreed that the project could proceed to design refinement and MUP application and then return to the Board for a Recommendation Meeting. In doing so, the Board gave this specific guidance:

- Provide panoply of renderings to convey the qualities of the gaps and from street-level views into the gaps and along the street front.
- Study a wider gap at the north, one that might provide greater solar benefits to the tree.
- Provide an arborist report; provide comments from by Bill Ames of SDOT about the report and about the tree.
- Converse with the neighboring property owner to the north about the impacts of the proposed vehicle access on the existing pedestrian entry to that building.
- Offer a more detailed study of the east façade and the ways its windows, etc. will interact with neighbors to the east, their privacy and comfort. Show a façade that is responsive, quiet and simple, but not bland or with a "back of the building look."

- As a guideline for the material pallet that will be settled upon: think of a vocabulary that speaks of three separate but closely related buildings.

DESIGN DEPARTURES

No departures from development standards were requested for the Revised Preferred Scheme. Otherwise, the general guidance for future design development should be that contained in the Guidelines and accompanying guidance determined to be of particular relevance to the site and proposal as specified at the first Early Design Meeting.

FIRST RECOMMENDATION MEETING—November 21, 2013

The design team began with a focused presentation, explaining the applicant's responses to the particular guidance offered by the Board at the last (second EDG) meeting. As directed by the Board, the project, at the time of the second EDG meeting, has been broken into three blocks or "buildings." In the present iteration the south "building" had been stepped up four feet from the level of the two north "buildings." This had meant recalculating the height of the two north towers separately from that of the south tower, and necessitating a request for a departure from SMC 23.47A.008, which would require that non-residential uses at street level have a floor-to-floor height of thirteen feet. In this instance, five of the six live/work spaces, would fall short of the 13-foot floor-to-floor height requirement. In response to the Board's earlier directive that the towers should be varied but appear at the same time related one to the other, a mirror pattern of frames and recessed planes created a symmetrical link between the two north towers while a pattern of similar frames and recessed planes on the south "buildings" created a near-symmetry internally consistent within the California Avenue facing façade of that portion of the overall structure.

A second directive of the Board had been to design the east façade so that it conveyed a sense of quiet and not merely a back-of-structure look that had not been carefully designed. As had been noted at earlier meetings, the respect for adjacent properties at the rear of the site had been enhanced by increasing the required 15-foot setback to an averaged 18.38-foot setback. The east facades had been eroded and modulated more subtly than the front façade while maintaining the color and integrity of the overall building composition. It was noted that the proposed development would be located well downhill from the homes to the east and that existing topography would limit the eastern exposure of the structure to a 2-1/2 to 3-story height. In addition, the design proposed smaller window openings and fewer decks along that side. Current plans showed a variety of landscaped spaces at the second level, including a common outdoor space sitting below the exceptional redwood tree. The back edge of the property would also contain a series of patios related to individual residences. These spaces, situated considerably below the levels of the adjacent rear yards, would be integrated with larger planted areas that would constitute a landscape buffer between the proposed structure and those yards. This would allow for deep-rooted trees and shrubs to be planted along the property edge, allowing for a more effective buffering. The presentation concluded with a more detailed look at these spaces, as well at the roof garden and other amenity spaces.

Public Comment

Comments from the public consisted of the following remarks and observations:

- The proposed white color should be warmer, creamier;
- The pedestrian bridge between buildings is too dense, has lost any transparency;
- The structures need a cap at the top, and stronger reveals;

- The solar penetration allowed to the east is inaccurately portrayed; simulations do not account for eyebrow overhangs on the east facades; the gap between two north structures doesn't do anything to improve solar exposure;
- Windows on the east-facing façade are not arranged to provide privacy for single family structures to the east; proposed landscaping trees are not enough to provide an adequate buffer;
- The proposal is still too tall and bulky; it blocks views of the Olympic mountain range from homes to the east; it blocks solar penetration to east; it should be a 4-story structure;
- This is a gigantic building; 5 floors are too many; would be ok with 4, thrilled with 3;
- There should be no live/work spaces along California Avenue SW, but rather genuine commercial spaces;
- The project will make California Avenue SW more walkable and be an asset to neighborhood.

Board's Deliberations

Regarding the east facades, there was some discussion whether wrapping the colors around from the front of the buildings achieved the “quiet” that was part of the earlier guidance. Although the applicants had spoken of “smaller” windows on the east façades, some members of the Board thought that there was no clear demonstration of how the proposed windows related to the rear windows of the single-family structures to the east nor how a more robust demonstration might affect choices of location and sill heights as well as size. There was also a desire expressed to have more information regarding the private plaza areas designated for individual residential units, especially regarding choices in materials and greater specificity for plantings at the property edge. Any development of the east facades should minimize the parapets and shrink the tops of the facades as much as possible.

Regarding the California facades, the Board members were generally agreed that the choice to push down the north two buildings and to create the height change at the south building was a good move. Reducing the floor to floor heights of the proposed live/work units, said to result from this move, was not so enthusiastically welcomed, especially since the Board favored the convertibility, if not the outright conversion, of these units to retail spaces. The Board did not convey a strong sense of their willingness to grant the departures requested to approve the under-height spaces, if they were all to remain as live/work units.

The entry plazas were considered moves in the right direction, and possibly there should be even more of them. As shown, however, they were generally thought not to be generous enough in size, especially if they were to function as outdoor extensions of the retail spaces within. They needed, as expressed by one Board member, “to be brought out to the curb.” Overall, the retail base was characterized as “too weak” and “too delicate” overall and in need of gaining both muscularity and individualization.

There was discussion regarding the bridge between the two north structures, with some concerns that, as depicted in the drawings, there was little transparency evident. The design team was asked about the width of the opening that potentially afforded views of the redwood tree behind the property. It was indicated that the opening shown was that which maintained the rhythm that had been said by a couple of the Board members to create a discernibly positive effect. It was argued that given its location, even if less opaque, the bridge would not afford the desired views through it, certainly not to drivers, barely to pedestrians. At any rate, the Board requested to be shown more details regarding the bridge's structure and materiality.

The California Avenue SW façade was, in the Board's estimation, a work in progress and one that needed more study and refinement. The frames were thought too-heavy, even "cartoonish," at least as rendered in their choices of color. Though modulated, the masses of the buildings presented "one big field of gray," which besides contributing to a certain heaviness, contributed to a sameness that created a sense of one long building, the precise perception that the modulation should have been working to overcome.

Given the challenges that remained, the Board members were agreed that the issues raised could not be addressed nor the deficiencies in the design be brought around through the Board's conditioning. The Board requested that the project be returned for an additional Design Review Recommendation meeting.

SECOND RECOMMENDATION MEETING -February 6, 2014

The architects' presentation began with a brief recitation of issues that the design team believed to have been resolved, either earlier or in the current presentation. These included a strong retail front, the principal portion of which had been moved to the northern end of the project at the Board's behest. Greater individuation had been bestowed on discrete spaces and a certain muscularity imparted through double height brick pilasters. The human scale of the California Avenue street-level façade had been enhanced by recessed retail entries, residential lobbies and overhead canopies, variegated according to the intended and attendant uses. The accent materials along the base, in addition to brick, included wood composite panels, architectural concrete finishes and anodized aluminum storefront windows of various heights and configurations.

The east-facing façade had been eroded and modulated more so than the west façade with insets varying from 2 to 8 feet in depth. The above-grade setback along the rear of the building was a minimum of 15 feet in depth, while averaging 18 feet in depth. Outdoor amenity areas at the first residential level were well below the level of the neighboring backyards and the proposed private patios were located behind a robust and tiered planting area intended to create a privacy buffer for residents on either side of the property lines. Following the guidance offered by the Board, the east façade had been given a more elaborate composition, maintaining the same vocabulary of that on the west side, but with warmer and muted colors.

The windows proposed for the east façade were generally smaller in size than those on the west side; whereas the residential fenestration on the west comprised 39 percent of the façade surface, those on the east comprised 32 percent of the total. An effort had been made to reduce the alignment of windows on the east façade with windows on the existing single-family structures along 42nd Avenue SW.

Details were offered regarding the choice of materials and façade lighting fixtures. There was a sectional view of the bridge connecting the north and middle buildings, and the array and location of planting materials was shown.

DEPARTURE REQUEST AND RATIONALE

In the attempt to differentiate between the middle and south "building," and to provide a "step" between the two rooflines, following cues from the Board, the central "building" was pushed down and the south "building" raised up. This resulted in the retail space at the southern end of the middle building having an 11-foot, 6-inch floor-to-floor height in order to be flush with grade and the two live/work units in the south "building" being 2 and 11 inches shy of the floor-to-floor height requirement. The requested departures were required in order to locate the floors of the retail space and the live/work units to be flush with the grade changes that occur across the California Avenue SW façade. This, it was noted, was better in keeping with the Guidelines, in particular A-2 which deals with "Streetscape Compatibility."

PUBLIC COMMENT

After some clarifying questions from the Board members, comments were elicited from members of the public attending the meeting. Among the comments were the following:

- The mass of the building remained out of proportion to the neighborhood;
- There persisted worries about the garage entries and impacts on pedestrian traffic, especially children traversing the sidewalk;
- The building was too big and set a dangerous precedent for further development in the area, for instance, across the street;
- How does it fit? Good retail needs an alleyway for success;
- Doesn't look like three distinct buildings if that is the intention;
- No distinction between the north and middle so-called "buildings";
- Still too tall;
- Any changes were imperceptible since the last time the project was presented; there were changes in colors only; no real quality materials; no real transition to single family zone to east; the proposal remained out of character with neighborhood;
- Needs dramatic changes; might be more palatable if it were a great building, but not a great building;
- Size is still the major issue.

BOARD DELIBERATIONS

The Board chair began by identifying a set of issues: 1) the footbridge between the north and middle "buildings," 2) the glazing on the east façade, 3) the requested departures, and 4) the proposed building materials.

The Bridge. Regarding the bridge, it was observed that the renderings showed no real transparency. It was further observed that the gap between the north and middle building had actually shrunk since last reviewed. The north and middle buildings, consequently, appeared as one long segment of structure. This impression was not helped by the proposed materials and colors which intensified the singleness of the two chunks of structure. A strong suggestion from several of the Board members was "to lose the bridge." At one point the Chair asked whether the issue was to lose the bridge or to make it more transparent and to widen the gap between the north and middle buildings which appeared to have shrunk from earlier presentations. The strong response of the majority of Board members was that the gap should be widened, who also thought it would also be necessary to lose the bridge.

Glazing on the East Façade. One of the Board members thought the glazing was more acceptable than what had been shown in earlier presentations, but others saw no dramatic change nor obvious mitigation in the choice of size or arrangements of the windows that was adequate to address the privacy question raised at earlier meetings.

Departures. The Departures were from the same Code provision that requires a floor-to-floor height of the non-residential spaces on the ground floor to be 13 feet (SMC 23.47A.008). It was felt that the departure question was not of paramount importance at the moment and could be delayed until issues more germane to a successful outcome of the design were resolved.

Materials. It was generally thought that the double-height brick treatment of the north mass succeeded in heightening the place and importance of the retail spaces and imparting a granularity that enhanced the pedestrian experience at the sidewalk level. Other areas along the California Avenue SW street-level frontage were considered less successful. In general, the retail

level was in need of a finer scale and greater granularity. The use of large-scale panels, for instance those shown in the vignettes on pp. 16, 17, and 18 of the packet prepared for the meeting, was not thought to contribute to the “streetscape compatibility” of Guideline A-2 nor to the “smaller scale retail” experience as one would move south on California Avenue SW. The greater intimacy of the smaller scale retail seemed to call out for a fine grain of materials, and the renderings appeared at odds with the textual statements of experiential intentionality. Brick, in different sizes textures and colors, was one possibility. It was suggested by a couple of the Board members that not just at the ground level, but at the upper levels, a smaller scale of fiber cement panels and wood accent panels, or other facing materials, might contribute to diminishing the impression of the overall height and mass of the structure. It was agreed to by all of the Board members that the “middle building” needed to be materially differentiated from the mass of the structure to the north, even if that meant a use of “radically different” materials.

The discussion of materials occasioned the observation that the residential windows need not all be of uniform size nor of white vinyl. A different color of window might broaden the pallet and used strategically could provide for critical versatility in dealing with façade transitions. This could be of special significance, perhaps, in fine tuning the east façade. It should be noted that there are discrepancies in the renderings that are part of the presentation packet for the Design Review meeting of February 6, 2014. The elevations on pp.8-9 and 27 indicate the use of monochromatic residential windows throughout. The cover (and p.10) would suggest a second color of residential windows in a least four locations.

At one point during the course of the Board’s deliberations the Chair had asked whether the members thought that any minor massing moves were possible to rectify what had been noted as major issues with the proposal. One response was that the design team would keep “tweaking it” and it was not going to get to where it needed to be. At the end of their deliberations, the Board members were unanimously agreed that the gaps between the “buildings” needed to be a full 25 feet in width. They also agreed on the need for greater material differentiation between the “buildings”; this was particularly applicable to the middle building which had been the object of their greatest attention. Four of the five members agreed that the proposal needed to lose the sky bridge. Two of the board members thought that the north building required “an upper level setback”; three members thought that the north building needed to be reduced in height by 10-15 feet. The Board directed the applicants to come back to the Board ready to show and discuss the two mentioned options, the “set back” and the overall reduction of the top of the north building. The applicants should also be prepared to address the other issues raised in their deliberations, particularly comments regarding the bridge, glazing and materials.

FINAL RECOMMENDATION MEETING—April 3, 2014

Architects’ Presentation

The architectural team began by focusing on those points that were identified by the Board as unresolved issues at the February 6th meeting. First were the massing issues and the project team’s responses, the most dramatic being the elimination of the top floor of the northernmost portion of the overall structure which created a stair-step effect for the three “buildings” from south to north. Additionally, the top floors of the south and middle “buildings” had been set back an average of three additional feet from the east property line and the gaps between the buildings had been expanded to a full 25 feet. The controversial bridge between the north and middle building, had with the reduction in height of the north building, been reduced one story in height, with a catwalk access running along its top connecting the top floor of the middle building to the rooftop outdoor amenity space on the north building.

Addressing the issue of totally eliminating the sky-bridge, brought up by members of the Board at the previous meeting, the architectural team indicated that the bridge would be almost invisible at street level due to its loss of a story and explained that its total removal would necessitate more exits to the ground floor along the sidewalk and higher penthouses at the structure's top. Easy access to the rooftop amenity space would likewise be hampered for residents in the two south "buildings."

Finally, the design team discussed the choices in materials and how those imparted a sharp differentiation between the three "buildings" that had evolved over the course of time and presentation from "brother or sister" buildings to "cousins" and finally to "friends, not family." One sticking point, with both Board and the public would be the green accent color on the front façade of the middle building which became a significant swath of color on the east façade. Various descriptions as "Kermit the Frog green," "Post-It note green," and "scary green," it became a matter of considerable concern and the hue and tonality of the proposed color was the occasion for the Board's conditioning their approval of the project.

Public Comment

Approximately twelve individuals expressed a variety of comments, among them the following:

- The project team had taken "great steps" with the design, especially by eliminating the top floor of the north building; still, the bridge should go, and the railing surrounding the rooftop amenity space should be of glass;
- The loss of the top floor fine, but the setbacks of the top floors of the other two buildings were insufficient in depth;
- The touted urban feel of the sidewalk-level façade was not desirable: this is not downtown, this is West Seattle;"
- The reduction in shadowing resulting from the top-floor setbacks was insignificant for neighbors to the east;
- Closing in on a building that won't be an embarrassment to the Admiral neighborhood; ideally, the other two buildings should be shortened as well; middle building needs additional moves to dispel the "scary green";
- Other than at the summer solstice, the setbacks provide insufficient mitigation to shadows;
- The front and the backs of each of the buildings should speak the same language;
- The project team had done a terrific job in addressing issues from the earlier meetings;
- The project will enliven existing dead space along California Avenue SW and create a synergy between the two junctions;
- It would not appear that the rooftop amenity area would violate accessibility standards if the bridge were to be lost;
- Complained that some of the slides shown by the applicants had not appeared in the packet they had uploaded to the DPD website.

Board Deliberations

The four Board members who attended the April 3, 2014 meeting were generally pleased with the massing revisions, specifically the removal of the top floor of the north building and the setbacks at the top floors of the middle and south buildings. They were also generally agreed that the extensive field of green in the middle of the backside of the middle building needed to be toned down or muted, probably by a change in color and the addition of other materials. The mid-section of the middle "building" exhibited too much pop and needed to be more deferential in the manner by which it presented itself to its eastern neighbors. Portions of the walls surrounding the two vehicular parking entrances were also thought to be "too blank" and

unengaging as perceived by pedestrians on the sidewalk. The vertical balusters of the metal handrail that edged the rooftop amenity space on the north building seemed “out of place”; a guardrail composed primarily of glass, like that on the crosswalk atop the bridge, was seen as a better and more compatible expression for this area.

There was vigorous discussion between two of the Board members regarding the differential colors and scoring of the sidewalk adjacent the storefronts and entries on California Avenue SW. While acknowledging the desirability of the changes in paving color and scoring, one of the Board members called for fewer accents within a given measure of the street frontage while the other advocated for the more pronounced staccato effect portrayed in the drawings. Without coming to any resolution, the opposing opinions seemed to be agreed in that variety in texture and the scoring pattern were equally important with color changes and that a closer look at the rhythm and rationale of the proposed hardscape should be undertaken by members of the design team who needed to make some landscape changes along California Avenue SW at any rate.

The question whether to retain or get rid of the bridge between the north and middle buildings was the matter most extensively argued. Two of the Board members were convinced that the building worked better with the bridge and that the bridge provided the mechanism by which the number and height of the stair and elevator penthouses could be reduced overall. One Board member was adamantly opposed to retaining the bridge. The final vote was 3 to 1 in favor of retaining the bridge and recommending approval of the proposal as presented with a less Solomonic kit of ameliorations specified as conditions of that approval.

Departures

Three Departures from Development Standards had been requested by the proposal team, each relating to the requirements that non-residential uses at street-level should have a minimum floor-to-floor height of 13 feet (SMC 23.47A.008, Street Development Standards, Height Provisions). Two of the departures were associated with the two live/work spaces proposed for Building C, Live/Work space #1 would be 5 inches shy and Live/Work space #2 would be 10 inches shy of the required height. The third departure was associated with a portion of the retail space located at the southwest corner of Building B. Here the height was 2-feet 6-inches shy of the development standard. Granting the departure requests would allow at-grade entries to each of the spaces, better meeting, as explained by the design team, Guidelines A-2 and D-1 which encourage appealing and successful building entries. If the departures were not to be approved, the three affected spaces would need to be depressed below sidewalk grade to provide the required floor-to-floor heights. The Board agreed that the requested departures better met the intentions of the two guidelines. By eliminating a need for ramps and stairs, a less desirable solution to meeting adequate accessibility, at-grade entries could be provided for all the non-residential spaces proposed along California Avenue SW, creating retail spaces with a better chance of long-term success and live/work spaces that were more imminently convertible to actual retail spaces, a goal earlier voiced by the Board and members of the public. The Departures were judged to contribute to a more successful pedestrian environment overall. The three departure requests were approved by the Board, 4-0.

Conditions of Approval

In recommending approval of the proposal, the Board recommended imposing the following Conditions of their Approval:

- The area of wall surrounding each of the vehicular entries should be treated in such a way, through relief or scoring lines, changes in texture, or through application of additional color or materials, adequately to counter any impression of being a “blank wall.”

- The middle portion of the east façade of the middle building should be redesigned through changes in color and/or materiality, and other adjustments as necessary, to mute what was perceived as “an extremely green statement to neighbors who live so close.” This muting should be done while maintaining an integrated architectural feeling within a conceptual whole that provides coherency with the other three elevations of that building.
- The metal security railing and balusters surrounding the amenity area on the roof of the north building as shown at the meeting and in the packet should be replaced by a railing system supported by posts with transparent glass panels between.

It is assumed that these changes will be incorporated into the plan sets prior to MUP issuance.

ANALYSIS & DECISION- DESIGN REVIEW

The design review process is prescribed in Section 23.41.014.F of the Seattle Municipal Code as is the role of the Director’s decision in relationship to the Board’s recommendation.

Over the course of two Early Design Guidance meetings five members of the Design Review Board identified elements within the *City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings* that would be critical to the project’s overall success. The Director of DPD has reviewed the discussions and recommendations of the Design Review Board made over the course of three subsequent recommendation meetings, as well as the applicant’s responses to the Board’s directives. After reviewing the Final Recommendation meeting, the Director finds that the applicants’ responses to the Board’s guidance are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board’s majority conclusion and recommendation that the proposed project as presented at the April 3, 2014 meeting would result in a design that meets the intent of the applicable Design Guidelines. Therefore, the Director accepts the Design Review Board’s majority recommendation and **APPROVES the proposed design and the recommended conditions of approval, and approves granting the requested three departures.**

DESIGN REVIEW CONDITIONS

See below.

ANALYSIS – SEPA

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project exceeds the specified thresholds for the Neighborhood Commercial Zone in which it is located.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, dated August 15, 2013. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist which was submitted by the project applicant and has reviewed the project plans and any additional information in the file. As indicated in this analysis, this action will result in impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SM C 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain

neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part, “*Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations.

Short-Term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and nonrenewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 15,000 cubic yards of excavation for construction. Excess material to be disposed of must be deposited in an approved site.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, and removal of debris and regulates obstruction of the pedestrian right-of-way.
- PSCAA regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor, and compliance with existing applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. For example, the Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes, and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, traffic, circulation and parking, noise, and greenhouse gases is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and conditioning of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

Construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits.

Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 15,000 cubic yards of material. A Geotechnical Report, prepared by PanGEO Incorporated, engineering consultants, dated August, 2013, was submitted with this application and was reviewed and approved by DPD. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Traffic, Circulation and Parking

According to the *Traffic Impact Analysis*, prepared by Heffron Transportation, Inc., dated August 12, 2013, and submitted by the applicants at the time of their MUP application, construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The construction activities will require the removal of material from the site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips.

During demolition and construction, the existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks to minimize the amount of spilled material and dust from the truck bed en route to or from a site.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires and removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

On-street parking in the neighborhood is limited, and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction, whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval. The Plan shall identify construction worker parking and construction materials staging areas as well as truck access routes to and from the site for excavation and construction phases. The Plan will also anticipate sidewalk and street closures and provide details for providing adequate neighborhood notice and actual posting procedures.

Noise

All construction activities are subject to the limitations of the Noise Ordinance. However, given the proximity of the site to existing residential uses, additional restrictions are warranted. Construction activities (including but not limited to demolition, grading, deliveries, framing, roofing, and painting) shall be limited to non-holiday weekdays from 7 a.m. to 6 p.m. and to Saturdays between 9 a.m. and 6 p.m. No construction activities will be permitted on Sundays.

Non-noisy activities, such as site security, monitoring, and providing for weather protection shall not be limited by this condition.

Greenhouse Gas Emissions

Construction activities, including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves, result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-Term Impacts

Height, Bulk and Scale

The SEPA Height, Bulk and Scale Policy (25.05.675.G) states that:

“...the height, bulk and scale of development projects should be reasonably compatible with the general character of development anticipated by the goals and policies...for the area in which they are located, and to provide for a reasonable transition between areas of less intensive zoning and more intensive zoning.”

In addition, the Policy states that:

“A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated.”

The proposed development would proceed according to Land Use Code standards for the proposed zone. The development as a whole will be in keeping with the scale of development anticipated by the goals and policies for the existing zoning and the Comprehensive Plan. In addition, the Design Review Board, over the course of five meetings on the project and in their recommendation of approval of the project, gave particular attention to the height, bulk and scale relationship of the proposal to its surroundings. In response to the Board’s guidance, the applicants undertook a series of modifications in their designs to address height, bulk and scale concerns. These included: stepping the proposed structure back from the east property line in excess of Code requirements; separating the upper portions of the proposed structure into three perceptively distinct “buildings”; eliminating proposed balconies and decks from the east facades and decreasing the size of windows to enhance the privacy of adjacent single-family neighbors; providing upper –level setbacks on the middle and south “buildings” in order to decrease shadow effects; and reducing the height of the north building by one whole story, since this was where the topography had the most significant impact on neighboring structures. There is strong evidence that height, bulk and scale impacts have been consistently addressed and adequately mitigated through the Design Review Board process. Therefore, no further mitigation of height, bulk and scale impacts is warranted pursuant to SEPA.

Plants and Vegetation

There is a large Redwood tree (*Sequoia sempervirens*) located on an adjacent site (3217 42nd Avenue SW) to the east of the development site, the root system and canopy of which encroach onto the eastern edge of the proposed development. A study of this “exceptional” tree and potential impacts to its well-being, prepared by Tree Solutions, Inc., consulting arborists, and dated October 31, 2012 (amended August 2, 2013), have been submitted by the applicant as part of their SEPA documentation. According to the study, several roots, but only one of size, have been located on the west side of the property line. The report concludes that based on

observations, experience and training, it is believed that with proper care, prior to and during construction, the tree can be successfully protected and retained. A City of Seattle arborist has concurred with that estimate and has directed that the collective recommendations of the Tree Solutions, Inc. evaluation be adhered to. Adherence to these recommendations will be made a condition of this decision. No further mitigation is called for.

Traffic and Parking

A *Traffic Impact Analysis*, prepared by Heffron Transportation, Inc., and dated August 12, 2013, was submitted by the applicants at the time of their MUP application. The analysis concludes that the proposed Intracorp Admiral Apartments project would not adversely impact traffic safety, transit, or non-motorized facilities within the study area. The proposed project would generate new trips on the local roadway network, but those additional trips would not degrade operations of the study-area intersections. The project would positively enhance the pedestrian environment along the site's frontage, in part by eliminating a number of existing curb cuts along that section of California Avenue SW. The parking proposed would accommodate the peak parking demand. Since the project would eliminate uses that likely generate demand for on-street parking in front of the project site, additional on-street parking capacity may be available to commercial customers and visitors of the proposed apartment units. In conclusion, the analysis states that no transportation mitigation measures would be needed to accommodate the proposed project.

The proposed development is estimated to generate approximately 960 vehicle trips per day and 84 vehicle trips during the PM peak hour. The project is expected to add very little delay to the study area intersections during the PM peak hour, with each study intersection estimated to operate at LOS C or better in the future with the proposed project. No off-site transportation mitigation is required to accommodate the proposed Intracorp Admiral Apartments project.

The project would reduce the number of access driveways along California Avenue SW by three. All movements at both of the proposed site access driveways would operate at LOS B or better during PM peak hour conditions.

The estimated peak parking demand could be accommodated by the proposed on-site parking supply of 154 spaces. It is likely, however, that some parking demand, related to retail/commercial uses and/or apartment visitors would occur on-street along California Avenue SW in front of the development. The elimination of three curb cuts and driveways along the frontage would allow for a small increase (about three spaces) in the on-street parking supply along the east side of California Avenue SW. The project would provide new sidewalks and landscaping along the site frontage of California Avenue SW as required by the City of Seattle.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

DECISION — STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21 C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21 C.030(2)(c).

CONDITIONS DESIGN REVIEW

Prior to issuance of the MUP permit

1. The MUP architectural plans shall be updated to include colored elevations and other plans that show the approved configuration and treatment of the structure as presented at the Design Review recommendation meeting of April 3, 2014, except for any alterations made in response to the recommendations of the Board and to be incorporated into the plan sets for the Master Use Permit, namely,
 - The area of wall surrounding each of the vehicular entries should be treated in such a way, through relief or scoring lines, changes in texture, or through application of additional color or materials, adequately to counter any impression of being a “blank wall.”
 - The middle portion of the east façade of the middle building should be redesigned through changes in color and/or materiality, and other adjustments as necessary, to mute what was perceived as “an extremely green statement to neighbors who live so close.” This muting should be done while maintaining an integrated architectural feeling within a conceptual whole that provides coherency with the other three elevations of that building.
 - The metal security railing and balusters surrounding the amenity area on the roof of the north building as shown at the meeting and in the packet should be replaced by a railing system supported by posts with transparent glass panels between.

Prior to Issuance of a Certificate of Occupancy

2. The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of April 3, 2014, except for any alterations made in response to the recommendations of the Board and incorporated into the plan sets re-submitted to DPD prior to issuance of the Master Use Permit. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner shall be made at least five (5) working days in advance of the inspection.

CONDITIONS – SEPA

Prior to issuance of any Construction, Shoring or Grading Permits

3. The applicant shall submit to DPD for review a Construction/Noise Management Plan that will, among other items, verify to the Planner that the following recommendations of the Tree Solutions, Inc. of October 31, 2012 (Amended August 2, 2013) for a Tree Monitoring Plan have been or are being met:
 - A Plan is in place with the property owner at 3217 42nd Ave SW which provides for care of the Redwood on that side of the property line prior to and during construction activities, a plan that allows for pruning for building clearance prior to construction, allowing time for the branches to re-sprout and fill out before being blocked by the new structure and provides for supplemental irrigation if necessary.
 - An arborist shall be present during excavation to perform root pruning.

- The excavator shall provide and utilize a smooth-edged bucket for the initial part of the excavation.
- The edge of the excavation with any exposed roots of the Redwood shall be kept covered and moist.
- The existing old, rock retaining wall at the base of the Redwood tree shall be kept intact and, if not structurally sufficient, shall be reinforced to protect the Redwood's tree root system.
- The project landscape architect shall be kept in the loop throughout the process so that any landscaping proposed between the new structure and the Redwood is specifically kept tree-friendly.

During Excavation, Demolition, and Construction

4. The applicant shall be required to limit periods of construction activity (including but not limited to grading, deliveries, framing, roofing and painting) to non-holiday weekdays from 7:00 a.m. to 6:00 p.m. and non-holiday Saturdays between 9:00 a.m. and 6:00 p.m. No construction shall be allowed on Sundays. Non-noise generating activities such as site security, monitoring, weather protection, etc. shall not be subject to this condition. The applicant may request modification through a Construction Noise Management Plan, approved by DPD to be determined prior to issuance of demolition, grading or building permit, whichever is issued first.

Signature: (signature on file)

Date: May 15, 2014

Michael Dorcy,
Senior Land Use Planner